



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

AF/2

NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)		Docket Number 13402/5
Application Number 09/773,148	Filing Date January 31, 2001	Examiner Frantz B. Jean
Title METHOD AND SYSTEM FOR ADAPTIVELY SETTING A DATA REFRESH INTERVAL		Art Unit 2151
		Applicant(s) Babak REZVANI et al.

Address to:
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action, mailed on March 07, 2005, that finally rejected claims 1 to 36.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 41.20(b) Notice of Appeal fee, which is believed to be \$500.00, to the deposit account number **11-0600** of **Kenyon & Kenyon**.

Applicants hereby request a **three-month extension of time** to respond to the Office Action dated March 07, 2005, which set a **three-month** period for response, or until June 07, 2005. The extended period for response expires on September 07, 2005. Please charge **\$450.00** (the small-entity three-month extension fee of **\$510.00** minus the small-entity one-month extension fee of **\$60.00** already paid) to the deposit account of Kenyon & Kenyon, **Deposit Account 11-0600**. The Commissioner is hereby authorized as appropriate and/or necessary, to charge any additional fees, including any Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. A copy of this paper is enclosed for this purpose.

Dated: September 7, 2005 By:

Clifford A. Ulrich (Reg. No. 42,194)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop AF
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on

Date: September 7, 2005

Signature: Chandra Seonaran

KENYON & KENYON
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

CUSTOMER NO. 26646

09/13/2005 MAHMED1	00000041	110600	09773148
01 FC:1401	500.00	DA	
02 FC:1253	450.00	DA	